

1. 2012SP-028-001

GREEN AND LITTLE

Map 117-10, Parcel(s) 115-116

Map 117-14, Parcel(s) 042

Council District 25 (Sean McGuire)

Staff Reviewer: Greg Johnson

A request to rezone from OR20 to SP-MU zoning for properties located at 2400 Crestmoor Road and at 3813 and 3815 Cleghorn Avenue, at the southwest corner of Crestmoor Road and Cleghorn Avenue (2.09 acres), permitting all uses of the MUG-A district except those uses specified on the plan as prohibited, and utilizing most bulk standards of the MUG-A district, requested by Gresham Smith and Partners, applicant, Green & Little, L.P. Et Al and GLCZ Cleghorn, L.P., owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

Permit hotel, office, retail, and restaurant uses

Preliminary SP

A request to rezone from Office/Residential (OR20) to Specific Plan – Mixed Use (SP-MU) zoning for properties located at 2400 Crestmoor Road and at 3813 and 3815 Cleghorn Avenue, at the southwest corner of Crestmoor Road and Cleghorn Avenue (2.09 acres), permitting all uses of the Mixed Use General – Alternative (MUG-A) district except those uses specified on the plan as prohibited, and utilizing most bulk standards of the MUG-A district.

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Proposed Zoning

Specific Plan Mixed-Use (SP-MU) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports Infill Development
- Promotes Compact Building Design

This proposal meets several critical planning goals. Meeting the requirements of the MUG-A zoning district for building setbacks, the development will have relatively short street setbacks with building entrances along the street frontages and parking placed away from street frontages, improving upon the walkable design of the surrounding streets. The project will replace existing office buildings, which meets the intent of Regional Activity Center policy to intensify development on infill sites within the policy area. Use of the site is optimized using structured parking that includes underground parking and shared parking requirements, allowing for the compact integration of uses.

GREEN HILLS – MIDTOWN COMMUNITY PLAN

Regional Activity Center (RAC) policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

Yes. RAC policy areas are intended to be concentrated mixed-use areas. The hotel, office, retail, and restaurant land uses are appropriate uses within the policy area. Except for the building height for the hotel portion of the SP, the project will follow all requirements of the MUG-A zoning district, which is an appropriate zoning district within the RAC policy area.

PLAN DETAILS

The Green and Little SP proposal includes approximately 272,000 square feet of hotel, office, retail, and restaurant uses within two mixed use buildings.

Proposed vehicular access to the site includes two access driveways from Cleghorn Avenue and one additional driveway from Crestmoor Road. These driveways lead to a service driveway that runs along the back of the site and to ramps for above-ground and underground parking. Except for aspects of building height and parking, the development will meet the requirements of the MUG-A zoning district.

Building Height

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The purpose of the SP is to accommodate the intended height of the hotel portion of the development and allow for alternative parking standards. The MUG-A zoning district permits a building height maximum of seven stories in 105 feet. The office portion of the development complies with this height standard with a seven story height in approximately 100 feet. The hotel portion of the site reaches a height of 105 feet. However, because of the generally shorter ceiling heights of hotel and parking structures compared to office floors, the hotel portion of the SP is able to accommodate ten stories within the 105 foot height, which is three stories more than permitted by the MUG-A zoning district. Because of the slope of the site, the ultimate roof height of the office and hotel elements will be within a few feet of each other.

The proposed height of the hotel is appropriate because it is consistent with RAC policy. RAC policy allows for building heights up to 150 feet in height. Additionally, the hotel height will be within a few feet of the height of the office portion of the SP, which is consistent with the height requirements of the MUG-A zoning district.

Parking

The SP includes a proposal for alternate parking standards from those required in the Zoning Code because the proposed land uses within the SP will have different peak times for parking demand. Based on the requirements of the Zoning Code, the combination of hotel, office, retail, and restaurant would require 769 parking spaces. According to the shared parking study provided by the applicant, the office and retail uses will reach their peak parking demand during the day, while the hotel and restaurant uses will reach their peak parking demand in the evening and at night. Based on this offset in parking demand, 685 parking spaces are proposed within the SP, a reduction of 84 parking spaces.

ANALYSIS

The shared parking and building height standards are appropriate standards within the SP. The shared parking study shows that the parking demand will not exceed the provided spaces due to offset parking demand among the uses.

The hotel building height is also appropriate. The intent of including both stories and feet in the building height requirements is to prevent unusually tall buildings with tall floor-to-ceiling heights. The hotel portion of the SP will have relatively short floor to ceiling heights due to the hotel and structured parking uses and will have approximately the same overall height as the office portion of the SP, which meets the height requirements of the SP.

STORMWATER RECOMMENDATION

Preliminary SP approved with conditions:

- Post developed flows, comprised of runoff for the entire developed site, discharged towards Cleghorn shall not exceed the pre developed flows, comprised of runoff from approximately one half to one third of the site, currently discharged toward Cleghorn.

PUBLIC WORKS RECOMMENDATION

A traffic impact study was submitted for this development and has been reviewed. The study indicates that because of the mix of the proposed uses, there will be minimal impacts to the overall level of service at the intersections in the vicinity of the project. In an effort to further minimize the impacts, the report suggests that pedestrian improvements should be considered. Therefore the following conditions should be required if this project is approved:

1. Developer shall extend the project sidewalks along its frontage and construct sidewalk where there are existing gaps along west side of Cleghorn Avenue from the project site to the existing traffic signal at Green Hills Village Drive.
2. Developer shall modify the intersection of Cleghorn and Green Hills Village Drive to provide pedestrian crosswalks, pedestrian signalization, and other associated pedestrian facilities. Developer shall submit a signal plan for MPW traffic engineer approval.
3. Valet zones along both Cleghorn Avenue driveways shall be located a minimum of 25 feet from Cleghorn travel lanes and be signed for short term parking for valet or check in services.
4. Developer shall modify the existing intersection of Crestmoor Road and Cleghorn Avenue by installing improved pedestrian facilities for the west leg of Crestmoor Road including pavement markings, signage, and ADA ramps. Additional vehicular signage and pavement marking modifications may be required to further enhance the safety of this intersection.
5. At the time the final SP is submitted, the developer shall provide a survey and an engineer's report to determine the constructability of providing sidewalk along the north side of Crestmoor between the intersection with Cleghorn and the existing Metro Archives building. If the existing right-of-way and topography permits the construction of this sidewalk, the developer shall construct the sidewalk gaps along the north side of Crestmoor and shall evaluate the appropriateness of installing a marked pedestrian crosswalk across Crestmoor.
6. The developer shall construct the sidewalk gaps along the north side of Crestmoor between the intersection with Cleghorn and the existing Metro Archives building or pay an in-lieu of fee into the sidewalk fund as determined by Metro Public Works.

Maximum Uses in Existing Zoning District: **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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General Office (710)	2.09	0.8 F	72,832 SF	1046	146	161
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Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	2.09	-	101,800 SF (150 rooms)	1338	88	87

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.09	-	148,870 SF	1813	256	246

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	2.09	-	11,590 SF	534	17	50

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	2.09	-	8,000 SF	1018	93	90

Traffic changes between maximum: **OR20** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3657	+308	+312

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions. The SP is based on the standards of the MUG-A zoning district, which is a recommended zoning district within the RAC policy. As described above, the hotel building height and parking requirements within the SP are appropriate related to this specific development proposal. **Staff Recommendation: Approve with conditions, including the revised condition from Public Works, and disapprove without all conditions.**

CONDITIONS

1. Building signs within this SP shall meet the standards of the MUG-A zoning district. For ground signs, only monument signs with a maximum height of six feet are permitted. All other ground sign requirements of the MUG-A zoning district shall be met.
2. Permitted land uses within this SP shall be limited to permitted land uses within the MUG-A zoning district, except the uses prohibited by the SP plan.
3. Conditions listed above from the Public Works and Stormwater Departments shall be met.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no

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later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits

Dr. Cummings arrived at 4:14 p.m.

Mr. Johnson presented the staff recommendation of approval with conditions and disapproval without all conditions.

John Houghton, 4412 Utah Ave., applicant, spoke in support of the application. He indicated that this plan improves the streetscape, provides parking behind the building and in garages. He indicated that it provides a walkable, mixed use development and helps implement the plan for Green Hills while creating opportunities for people to live where they work.

Tom White, 36 Old Club Ct., applicant, stated that every request by staff has been made and has been agreed to. He indicated that the applicant has worked closely with councilperson. He did not realize that there was any opposition until just now – item was on consent.

Ann Boatman, 2411 Crestmoor Rd., spoke in opposition to the application. She is a homeowner in this area and can't find any mention of Whitney Condominiums – as a homeowner, she expressed concern over the development of the property where there is already a glass building.

Becki Pickett, 2411 Crestmoor Rd. #101, spoke against the application. Concerned with having three major hotels in the area. Also concerned with property values and the quality of life in the area changing with development. As a homeowner, underground blasting concerns, noise and traffic that mixed use brings, please consider these concerns

Tom White, on rebuttal, had not heard anything prior to this meeting, and would be happy to talk to these homeowners. He indicated that this project should be approved since all conditions have been met. He indicated that he will be happy to continue to meet with the homeowners.

Mr. Ponder moved and Mr. Claiborne seconded the motion to close the public hearing. (9-0)

Commissioner Haynes and Commissioner Adkins abstained from discussion and vote.

Mr. Clifton stated that he tends to favor this type of development because it creates jobs. These buildings are what we want there as a general community. In support of staff recommendation.

Dr. Cummings spoke in support, especially with the Public Works conditions.

Mr. Ponder stated it was a good plan and is positive that developer will be in touch with the homeowners. He is in support of staff recommendation.

Councilmember Claiborne stated this request meets all requirements. He is in support of staff recommendation.

Mr. Datlon spoke in support of staff recommendation

Ms. LeQuire moved and Mr. Dalton seconded the motion to Approve with conditions, including the revised condition from the Public Works Department, and disapprove without all conditions. (7-0-2) Mr. Haynes and Mr. Adkins refrained from voting.

Resolution No. RS2013-1

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-028-001 is Approved with conditions, including the revised condition from the Public Works Department, and disapprove without all conditions. 7-0-2

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